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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

EVER VICENTE. ARCE,

Plaintiff,

v.

ERIC HOLDER, U.S. Attorney General, JANET NAPOLITANO, Secretary of the Department of Homeland Security, TIMOTHY AIKEN, Field Director of Detention and Removal Immigration and Customs Enforcement,

Defendants.

No. C 12-04063 WHA

**ORDER SETTING HEARING
ON PETITION FOR WRIT OF
HABEAS CORPUS AND
EMERGENCY REQUEST FOR
STAY OF DEPORTATION**

Petitioner Ever Vicente Arce, who is represented by counsel, has filed a petition for writ of habeas corpus and emergency request for stay of deportation. The petition states that petitioner is subject to a final order of removal, but it does not indicate the expected date of deportation. The petition also states that petitioner filed a request for stay of deportation before the Board of Immigration Appeals on July 30, 2012, but the BIA has not yet acted on the request. Counsel shall file a written statement by **8:00 A.M. ON AUGUST 3, 2012**, indicating the expected date of deportation. If the date of deportation is not known, counsel shall so state. Counsel shall also state whether the BIA has set a briefing schedule and hearing date for petitioner's request for stay of deportation. A hearing on the petition for writ of habeas corpus and emergency request

1 for stay of deportation will be held at **10:00 A.M. ON AUGUST 3, 2012**, before Judge Susan Illston.
2 Counsel shall serve this order and the petition on defendants before tomorrow's hearing.

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4 **IT IS SO ORDERED.**

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6 Dated: August 2, 2012.

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SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

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for W. Alsup, DJ